

multiple access, orthogonal frequency division multiple access, ~~wavelength division multiple access, wavelet division multiple access~~, orthogonal division multiple access, and quasi-orthogonal division multiple access .

REMARKS

This response is provided to the Office Action of **March 29th, 2004**, wherein claims 1-3, 6, 7, 17, 18, 20-24, 27, 32-35, 43, 47-49 and 51 were rejected, while claims 8-16, 19, 25, 26, 28, 29-31, 36-42, 44, 45, 46 and 50 were merely objected to as being dependent on unpatentable base claims. In this response, Applicant has amended a number of claims, as above, and has cancelled claims 8, 24, 25 and 44. Support for the amendments can be found in the original specification, claims and/or figures and, in this regard, no new matter has been introduced. Accordingly, claims 1-7, 9-23, 26-43 and 45-51, as amended, remain pending.

At the onset, Applicant would like to thank the Examiner for the identification of the patentable subject matter, as well as to some claim numbering informalities. Applicant has amended the claims, as above, to correct such oversight.

Objection to the Claims

In **paragraph 1** of the Action, the Examiner correctly pointed out informalities introduced into the claims. Applicant regrets this oversight and has amended the claims, above, to correctly list the pending claims.

§112 Rejection of Claims 6, 27 and 51.

In **paragraphs 2 and 3** of the Action, the Office rejects claims 6, 27 and 51 as failing to properly enable the claim elements, pursuant to 35 USC §112, first paragraph.

Without conceding the appropriateness of the claim limitations, in an effort to conclude prosecution of this matter, Applicant has amended claims 6, 27 and 51 to remove, without prejudice, the reference to wavelength division multiplexing and wavelet multiplexing. The amendment to the claims should remove any further basis for

§112 rejection. Accordingly, Applicant respectfully requests that the §112, first paragraph rejections be withdrawn.

§102(e) Rejections of Claims 1-3, 6, 7, 17, 18, 20-24, 27, 32-35, 43, 47-49 and 51

In paragraphs 4 and 5 of the Action, the Office rejects claims 1-3, 6, 7, 17, 18, 20-24, 27, 32-35, 43, 47-49 and 51 as being anticipated by a patent issued to Paulraj et al. (USP 6,067,290) under 35 USC §102(e).

Without conceding the appropriateness of the rejection, in an effort to conclude prosecution of this matter, Applicant has amended the claims, as above, to place the claims in condition for allowance. Applicant respectfully submits that such amendments overcome the basis for rejection.

In view of the foregoing amendments, Applicant respectfully requests that the rejection to claims 1-3, 6, 7, 17, 18, 20-24, 27, 32-35, 43, 47-49 and 51 be withdrawn.

CONCLUSION


In view of the foregoing remarks and the proposed amendments, Applicant believes the applicable rejections have been overcome and all claims remaining in the application are presently in condition for allowance. Accordingly, favorable consideration and a Notice of Allowance are earnestly solicited. The Examiner is invited to telephone the undersigned representative if the Examiner believes that an interview might be useful for any reason.

Respectfully submitted,

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by:


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